

HONORABLE MARSHA J. PECHMAN

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

NORTHSHORE SHEET METAL, INC.,

Plaintiff,

v.

SHEET METAL WORKERS
INTERNATIONAL ASSOCIATION, LOCAL
66,

Defendant.

No. 2:15-CV-1349-MJP

**MOTION TO STRIKE NORTHSHORE'S
REPLY TO LOCAL 66'S RESPONSE TO
MOTION FOR TEMPORARY
RESTRAINING ORDER**

Note on Motion Calendar: September 18,
2015

STATEMENT OF FACTS

On August 24, 2015, Plaintiff Northshore Sheet Metal, Inc. ("Northshore") filed a Motion for Temporary Restraining Order against Defendant Sheet Metal Workers International Association, Local 66 ("Local 66"). (Dkt. 3) The motion sought an order restraining Local 66's strike activity against Northshore. (Id.) Also on August 24, 2015, Local 66 filed a response to Northshore's Motion for Temporary Restraining Order. (Dkt. 9) On August 28, 2015,

RESPONSE TO NORTHSHORE'S MOTION
FOR TEMPORARY RESTRAINING ORDER -
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Northshore filed a Reply to Local 66's Response to Northshore's Motion for Temporary Restraining Order. (Dkt. 12)

ARGUMENT

According to LCR 65(5), Northshore was not entitled to file a reply to Local 66's Response. That rule states in relevant part:

(5) Response: Unless the court orders otherwise, the adverse party must (1) file a notice indicating whether it plans to oppose the motion within twenty-four hours after service of the motion, and (2) file its response, if any, within forty-eight hours after the motion is served. The response may not exceed twenty-four pages in length, and **no reply will be permitted**. If the movant meets the requirements of Fed. R. Civ. P. 65(b), the court may grant the motion without awaiting a response.

LCR 65(5) (Emphasis added)

Accordingly, Northshore was not entitled to file its reply and Local 66 hereby requests that it be stricken.

CONCLUSION

For the foregoing reasons, the Court should strike Northshore's Reply to Local 66's Response to Northshore's Motion for Temporary Restraining Order.

DATED this 31st day of August, 2015.

s/Daniel Hutzenbiler
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CERTIFICATE OF SERVICE

I hereby certify that on August 31st, 2015, I electronically filed the foregoing **MOTION TO STRIKE NORTSHORE'S REPLY TO LOCAL 66'S RESPONSE TO MOTION FOR TEMPORARY RESTRAINING ORDER and ORDER (PROPOSED) ON DEFENDANT'S MOTION TO STRIKE NORTSHORE'S REPLY TO LOCAL 66'S RESPONSE TO MOTION FOR TEMPORARY RESTRAINING ORDER** with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following:

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